

## R E M A R K S

The office action of March 24, 2004 has been reviewed and its contents carefully noted. Reconsideration of this case, as amended, is requested. Claims 1, and 3 through 5 remain in this case, claim 2 being cancelled by this response. Claim 2 was incorporated into claim 1 to further clarify the claim language and to advance prosecution. Claims 3 and 5 were amended to fix typographical errors. No new matter has been added.

The Applicants note the Notice from the Official Draftsman referring to certain informalities in the Drawing. Replacement drawings correcting the informalities will be provided at an appropriate time.

### **Rejection(s) under 35 U.S.C. §102**

Claims 1 and 5 were rejected under 35 U.S.C. 102(b) as being anticipated by Mikame et al. (US 6,386,164). Applicant respectfully disagrees with the rejection.

As stated in claim 1, Mikame does not show "... an annular housing surrounding the rotor and having a first annular array of teeth..." where "...the locking means comprising an annular locking plate having a second annular array of teeth in engagement with the first annular array of teeth in a first position of the annular locking plate to prevent relative motion between the housing and the rotor and being out of engagement with the first annular array of teeth in a second position of the annular locking plate to permit relative circumferential motion between the annular housing and the rotor." and "at least one metallic strap having an end secured to the annular housing and an opposed end secured to the rotor for urging the locking means to the first position in locking engagement with the rotor during periods of low engine oil pressure."

Therefore, it is respectfully suggested that the rejection of independent claim 1 as being anticipated by Mikame (US 6,386,164) is overcome. Dependent claim 5, being dependent upon and further limiting independent claim 1, should also be allowable for that reason, as well as for the additional recitations they contain. Reconsideration and withdrawal of the rejection are respectfully requested.

### **Allowable Subject Matter**

Applicant gratefully acknowledges Examiner's statement that claims 2-4 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. While Applicant disagrees with the rejection of claims 1 and 5, Applicant has included claim 2 into claim 1 to move along prosecution.

### **Conclusion**

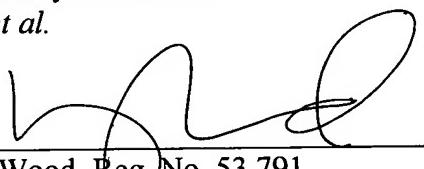
Applicant believes the claims, as amended, are patentable over the prior art, and that this case is now in condition for allowance of all claims therein. Such action is thus respectfully requested. If the Examiner disagrees, or believes for any other reason that direct contact with Applicants' attorney would advance the prosecution of the case to finality, he is invited to telephone the undersigned at the number given below.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file."

Respectfully Submitted:

*Smith et al.*

By: \_\_\_\_\_

  
Lynda Wood, Reg. No. 53,791  
Attorney for Applicant

BROWN & MICHAELS, P.C.  
400 M&T Bank Building - 118 N. Tioga St.  
Ithaca, NY 14850  
(607) 256-2000 • (607) 256-3628 (fax)  
e-mail: lwood@bpmlegal.com  
Dated: April 8, 2004